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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MICHELLE C. ZEITER, individually, and
as Special Administrator for ESTATE OF
MICHAEL BUCHNA; JENNIFER C.
BEAM, individually, and as Special
Administrator for ESTATE OF MICHAEL
S. BUCHNA,

Plaintiffs,

v.

WALMART INC., a foreign corporation
d/b/a WALMART SUPERCENTER #3351;
and WAL-MART STORES, INC., a foreign
corporation; and DOES I through X;
inclusive; and ROE CORPORATIONS I
through V, inclusive,

Defendants.

CASE NO: 2:21-cv-00061-APG-DJA

**STIPULATION TO CONTINUE HEARING
REGARDING PRETRIAL ORDER**

(First Request)

STIPULATION TO CONTINUE HEARING REGARDING PRETRIAL ORDER

(First Request)

IT IS HEREBY STIPULATED by and between Plaintiffs MICHELLE C. ZEITER,
Individually and as Special Administrator for ESTATE OF MICHAEL BUCHNA, and JENNIFER
C. BEAM, Individually and as Special Administrator for ESTATE OF MICHAEL S. BUCHNA
(collectively "Plaintiffs"), by and through their attorneys of record, SIMON LAW and BROCK H.
OHLSON PLLC, and Defendants WALMART, INC. and WAL-MART STORES, INC. (collectively

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“Defendants”), by and through their attorneys of record, HALL & EVANS, LLC (foregoing parties are collectively referred to hereinbelow as “Parties”), hereby submit their Stipulation and Order to Continue Hearing Regarding Pretrial Order from its current setting of March 12, 2025, to March 26, 2025, pursuant to LR IA 6-1. This is the first stipulation for a continuation of the hearing regarding the Pretrial Order.

REASONS FOR REQUESTING A CONTINUANCE OF THE MARCH 12, 2025 HEARING

The Parties aver that good cause exists to continue the March 12, 2025 hearing regarding the Pretrial Order to Wednesday, March 26, 2025. Consistent with LR 16-3 and the Court’s May 23, 2023 Order, the Parties met and conferred regarding the scope of witnesses and exhibits for trial on January 17, 2025, on January 24, 2025, on February 12, 2025, and through several written correspondences. Although the Parties were able to resolve several disputes, various issues remain with respect to the scope of the Parties’ witnesses and exhibits, necessitating the Parties to each submit their individual Pretrial Orders and resulting in the Court noticing a Hearing on the matter on March 12, 2025. *See* ECF Doc 177 (Feb. 27, 2025). However, lead counsel on this matter, Patrick McDonnell, planned a prepaid family vacation and will be out of the country from March 10-14, 2025. Accordingly, the Parties agree that a brief continuation of the Hearing is warranted to allow counsel to participate in his prepaid family vacation.

The Parties further aver that this request is not made for purposes of undue delay of resolving issues surrounding the Pretrial Order or trial in this matter but is submitted in the interests of ensuring this matter is resolved on its merits. Neither Party is prejudiced through this continuation, as all Parties agree that short continuation to March 26, 2025, is warranted, as set forth herein.

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Thus, the parties have agreed to continue the March 12, 2025 Hearing as set forth below:

- Hearing Regarding Pretrial Order:

• Existing date: Wednesday, March 12, 2025

• **Proposed date: Wednesday, March 26, 2025**

Submitted by:

DATED this 4th day of March 2025.

Dated this 4th day of March 2025.

SIMON LAW

HALL & EVANS, LLC

/s/ Ben Miller

/s/ Kurt Bonds

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Attorneys for Defendants

ORDER

IT IS SO ORDERED: the hearing on the parties' proposed pretrial orders ECF No. 175 and 176, currently scheduled for March 12, 2025, is vacated and continued to April 22, 2025, at 9:30 a.m. in LV Courtroom 6C before Chief Judge Andrew P. Gordon.

Dated: March 5, 2025


ANDREW P. GORDON
CHIEF UNITED STATES DISTRICT JUDGE